APPENDIX C
THE NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES RULES, 1985
( RELEVANT PORTIONS ONLY )
APPENDIX C

THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES RULES, 1985

(Relevant Portions Only)

CHAPTER I
PRELIMINARY

1. Short title, and commencement (1) These Rules may be called the Narcotic Drugs and Psychotropic Substances Rules, 1985.

(2) They shall come into force on the date of their publication in the Official Gazette.

CHAPTER III
OPium Poppy Cultivation and Production of Opium and Poppy Straw

5. Opium poppy cultivation and production of opium or poppy straw. The opium poppy for production of opium or poppy straw shall not be cultivated save on account of the Central Government and in the tracts notified by it from time to time and in accordance with the conditions of a licence issued by the District Opium Officer under rule 8.

8. Issue of licence. Subject to the general conditions relating to grant of licences notified by the Central Government, the District Opium Officer may issue licence to any person for a crop year for cultivation of the opium poppy for production of opium or poppy straw on receipt of an application made by that person in Form No. 2 appended to these rules.

9. Licence to specify the area, etc.- The licence for cultivation of opium poppy issued under rule 8 shall specify the area and designate the plots to be cultivated with opium poppy.

11. Withholding or cancellation of Licence. (1) An officer higher in rank than the District Opium Officer may, for sufficient reasons to be recorded in writing, withhold or cancel a licence already issued.

(2) No order shall be passed under sub-rule (1) unless the cultivator has been given a reasonable opportunity of showing cause against the said order or is heard in person if he so desires.

(3) Where opium poppy has been cultivated under a licence which is subsequently withheld or cancelled, the standing crop, if any, shall be destroyed under the supervision of the proper officer in such manner as may be specified by the Narcotics Commissioner.

12. Procedure with regard to measurement of land cultivated with opium poppy. (1) All plots of land cultivated with opium poppy in accordance with the licence issued under these rules, shall be measured in metres by the proper officer in the presence of the cultivator concerned and the Lambardar of the village
and the concerned cultivator and the Lambardar of the village shall attest the entries made in the records to be maintained by the Lambardar, as may be specified by the Narcotics Commissioner in this behalf, under their signature/thumb impression with date, in token of having satisfied themselves regarding the correctness of the measurement.

(2) The measurement conducted by the proper officer shall be subject to such checks by such officers as may be specified by the Narcotics Commissioner in this behalf.

14. **Delivery of opium produced**- All opium, the produce of land cultivated with opium poppy, shall be delivered by the cultivators to the District Opium Officer or any other officer duly authorised in this behalf, by the Narcotics Commissioner at a place as may be specified by such officer.

15. **Opium to be weighed, examined and classified**- All opium delivered by the cultivators to the District Opium Officer or any other officer authorised as aforesaid, shall, in the presence of the concerned cultivator or any person authorised by him and the Lambardar of the village, be weighed, examined and classified according to its quality and consistence and forwarded by the District Opium Officer to the Government Opium Factory in such manner as may be specified by the Narcotics Commissioner.

19. **Fixation of price of opium**—(1) The Central Government shall, from time to time, fix the price of opium, to be paid to the cultivators, in such manner as it may deem fit.

(2) Such price shall be fixed per kilogram of opium of a standard consistence.

20. **Provisional payment of price**—(1) The District Opium Officer shall, having regard to the weight and consistence of opium delivered by individual cultivators, work out the weight of such opium at the standard consistence and determine provisionally the total price payable to such cultivators.

(2) The said officer shall pay to the cultivators, ninety percent of the price so determined which shall be subject to adjustment against the final price payable to the cultivators to be determined as provided hereinafter.

21. **Weighment and examination of the opium at the Government Opium Factory**—The opium forwarded by the District Opium Officer shall be received, weighed, examined and classified in the Government Opium Factory under the supervision of the General Manager in such manner as may be specified by the Narcotics Commissioner.

22. **Confiscation of adulterated opium**—All such opium received separately under rule 17, if found to be adulterated on examination by the Chemical Examiner in the Government Opium Factory may be liable to confiscation by the General Manager.

23. **Adjudication of confiscation of adulterated opium**—No such confiscation shall be ordered by the General Manager unless the concerned cultivator is given a reasonable opportunity of showing cause against the proposed order and is heard in person, if he so desires.
24. **Determination of final price of opium-** (1) Subject to rule 21, the final price of opium payable to the cultivator shall, having regard to the price fixed by the Central Government under rule 19, be determined by the General Manager on the basis of analysis report of the Chemical Examiner or such other officers as may be authorised in this behalf by the Chief Controller of Factories and communicated to the concerned District Opium Officer.

(2) The price payable in respect of any opium which is delivered to the District Opium Officer or any other officer authorised in this behalf under rule 14 and is not initially suspected to be adulterated but found to be adulterated on examination in the Government Opium Factory, shall be subject to reduction at such rates as may be specified by the Central Government.

**CHAPTER IV**

**MANUFACTURE, SALE AND EXPORT OF OPIUM**

31. **Manufacture of opium-** Opium shall not be manufactured save by the Central Government Opium Factories at Ghazipur and Neemuch.

Provided that opium mixtures may be manufactured from opium lawfully possessed by a person authorised under the rules made by the State Governments for the said purpose.

32. **Export of opium-** The export of opium is prohibited save when the export is on behalf of the Central Government.

33. **Sale to State Governments or manufacturing chemists-**

(1) The sale of opium to State Governments or, as the case may be, manufacturing chemists shall be only from the Government Opium Factory, Ghazipur.

(2) The sale of opium from the Government Opium Factory at Ghazipur to manufacturing chemists shall be only under a permit granted by or under the orders of the State Government within whose jurisdiction the chemist resides or has his place of business in the form prescribed by the Government.

(3) The permit referred to in sub-rule (2) shall be issued, in quadruplicate and—

(a) the quadruplicate copy shall be retained by the issuing authority and the remaining copies forwarded to the Government Opium Factory, Ghazipur;

(b) the said Factory shall retain the duplicate copy for record, send the original copy with the consignment of opium and return the triplicate copy to the issuing authority after endorsing thereon the quantity actually supplied and the date of despatch.

34. **Fixation of sale price of opium-** The price to be charged for opium sold under this Chapter shall be fixed, from time to time, by the Central Government in such manner as it may deem fit.
CHAPTER V
MANUFACTURED DRUGS

35. General prohibition—The manufacture of crude cocaine, ecgonine and its salts and of diacetyl morphine and its salts is prohibited.

36. Manufacture of Natural Manufactured Drugs—(1) The manufacture of cocaine and its salts is prohibited save the manufacture of cocaine hydrochloride by the chemical staff employed under the Central Board of Excise and Customs from confiscated cocaine.

(2) The manufacture of morphine, codeine, dionine, thebaïne, dihydrocodeinone, dihydrocodeine, acetyldihydrocodeine, dihydromorphine, dihydromorphinone, dihydrohydroxycodeinone, pholcodine and their respective salts is prohibited save by the Government Opium Factory.

(3) The manufacture of medicinal hemp shall be under a licence granted by the State Government on payment of such fees and is accordance with such conditions as may be prescribed by that Government in this behalf.

37. Manufacture of Synthetic Manufactured Drugs—(1) The manufacture of manufactured drugs notified under sub-clause (b) of clause (xi) of section 2 of the Act (hereafter referred to as the drug) is prohibited save under and in accordance with the conditions of a licence granted by the Narcotics Commissioner or such other officer as may be authorised by the Central Government in this behalf, in Form No. 3 appended to these rules.

(2) A fee of rupees fifty shall be payable in advance to the Central Government for each licence issued under this rule or for renewal thereof.

45. Possession, Sale and Distribution—The licensee shall not possess or sell or distribute the drug otherwise than in accordance with the rules made by the State Government under the Act.

CHAPTER VI
IMPORT, EXPORT AND TRANSSHIPMENT OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

53. General Prohibition—Subject to the other provisions of this Chapter, the import into and export out of India of the narcotic drugs and psychotropic substances specified in Schedule I is prohibited.

54. Import of Opium, etc—The import of—

(1) opium, concentrate of poppy straw, and

(ii) morphine, codeine, thebaïne, and their salts is prohibited save by the Government Opium Factory.
55. Application for Import Certificate—(1) No narcotic drug, or psychotropic substance specified in Schedule II, shall be imported into India without an import certificate in respect of the consignment issued by the issuing authority, in Form No. 4 appended to these rules.

(2) The importer applying for an import certificate under sub-rule (1) in relation to narcotic drug shall submit along with his application the original or certified copy of the excise permit issued by the concerned State Government.

(3) The application for the import certificate shall state such details as may be specified by the Narcotics Commissioner.

57. Transit— Subject to the provisions of section 79 of the Act and rule 53, no consignment of any narcotic drug, or psychotropic substance specified in Schedule II, shall be allowed to be transited through India unless such consignment is accompanied by a valid export authorisation in this behalf, issued by the Government of the exporting country.

Provided that the provisions of this rule shall not apply to the carriage, by any ship or aircraft, of small quantities of such narcotic drugs and psychotropic substances which are essential for treatment of, or medical aid to, any person on board the ship or aircraft.

58. Application for Export Authorisation—(1) No narcotic drug, or psychotropic substances specified in Schedule II, shall be exported out of India without an export authorisation in respect of the consignment issued by the issuing authority in Form No. 5 appended to these rules.

(2) The exporter applying for an export authorisation under sub-rule (1) shall submit,—

(a) where the export authorisation relates to narcotic drug, along with his application the original or an authenticated copy of the excise permit issued by the concerned State Government; and

(b) the import certificate in original, issued by the Government of the importing country certifying the official approval of the concerned Government.

(3) Notwithstanding anything contained in sub-rules (1) and (2), the psychotropic substances specified in Schedule III may be exported out of India after the exporter files the original and duplicate copies of the declaration in Form No. 6 with the Narcotics Commissioner who shall transmit the duplicate copy of the declaration to the concerned authority of the importing country requesting that authority to certify on the duplicate copy of the declaration that the actual quantity of psychotropic substance has been duly imported and return the said copy; the triplicate copy of the declaration should be sent, along with the consignment of said substances by the exporter to the importing country and the quadruplicate copy thereof may be retained by him.
60. **Transhipment**—Subject to the provisions of section 79 of the Act and rule 53, no consignment of narcotic drug, or psychotropic substance specified in Schedule II, shall be allowed to be transhipped at any port in India save with the permission of the Collector of Customs.

61. **Procedure for Transhipment**—The Collector of Customs while allowing any consignment of narcotic drugs, or psychotropic substances, specified in Schedule II, to be transhipped shall, inter alia, satisfy himself that the consignment is accompanied by a valid export authorisation issued by the exporting country.

**CHAPTER VII**  
**PSYCHOTROPIC SUBSTANCES**

64. **General prohibition**—No person shall manufacture, possess, transport, import inter-State, export inter-State, sell, purchase, consume or use any of the psychotropic substances specified in Schedule I.

65. **Manufacture of Psychotropic Substances**—(1) Subject to the provisions of sub-rule(2), the manufacture of any of the psychotropic substances other than those specified in Schedule I shall be in accordance with the conditions of a licence granted under the Drugs and Cosmetics Rules, 1945 (hereinafter referred to as the 1945 Rules) framed under the Drugs and Cosmetics Act, 1940 (23 of 1940), by an authority in charge of Drugs Control in a State appointed by the State Government in this behalf.

(2) The authority in charge of Drugs Control in a State (hereinafter referred to as the Licensing Authority) shall consult the Drugs Controller (India) in regard to the assessed annual requirements of each of the psychotropic substances in bulk form referred to in sub-rule(1) in the country and taking into account the requirement of such psychotropic substances in the State, the quantity of such substance required for supply to other manufacturers outside the State and the quantity of such substance required for reasonable inventory to be held by a manufacturer, shall specify, by order, the limit of the quantity of such substance which may be manufactured by the manufacturer in the State.

(3) The quantity of the said psychotropic substance which may be manufactured by a licensee in a year shall be intimated by the Licensing Authority to the licensee at the time of issuing the licence.

66. **Possession, etc., of psychotropic substances**—(1) No person shall possess any psychotropic substance for any of the purpose covered by the 1945 Rules, unless he is lawfully authorised to possess such substance for any of the said purposes under those Rules.

(2) Notwithstanding anything contained in sub-rule (1), any research institution, or a hospital or dispensary maintained or supported by Government or local body or
by charity or voluntary subscription, which is not
authorised to possess any psychotropic substance under
the 1945 Rules, or any person who is not so authorised
under the 1945 Rules, may possess a reasonable quantity
of such substance as may be necessary for their genuine
scientific requirements or genuine medical requirements,
or both for such period as is deemed necessary by the
said research institution or, as the case may be, the
said hospital or dispensary or person;

Provided that where such psychotropic substance is in
possession of an individual for his personal medical use
the quantity thereof shall not exceed one hundred dosage
units at a time.

(3) The research institution, hospital and dispensary
referred to in sub-rule (2) shall maintain proper accounts
and records in relation to the purchase and consumption
of the psychotropic substance in their possession.

CHAPTER VIII
MISCELLANEOUS

68. Repeal and Savings—(1) The Central Opium Rules,
1934, the Dangerous Drugs (Import, Export and Transhipment)
Rules, 1957, and the Central Manufactured Drugs Rules,
1962 are hereby repealed.

(2) Notwithstanding such repeal, anything done or
any action taken or purported to have been done or taken
under any of the rules repealed by sub-rule (1) shall, in
so far as it is not inconsistent with the provisions of
these rules, be deemed to have been done or taken under
the corresponding provisions of these rules.